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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

| | |
|---------------------------|-------------------------------------|
| In re: |) Bankruptcy No. BK-S-06-10725-LBR |
| |) Chapter 11 |
| |) |
| USA COMMERCIAL MORTGAGE |) <u>Preliminary Hearing</u> |
| COMPANY, fka USA CAPITAL, |) DATE: April 17, 2006 |
| |) TIME: 1:30 |
| Debtor. |) |
| |) <u>Final Hearing</u> |
| |) DATE: May 3, 2006 |
| |) TIME: 9:30 a.m. |

NOTICE OF STIPULATION RE SETOFF AND BANK ACCOUNTS(WELLS FARGO)

TO: Creditors requiring special notice, including any committee appointed pursuant to §1102 of the code or its authorized agent, and if no committee of unsecured creditors has been appointed pursuant to §1102, upon the creditors including the list filed pursuant to Rule 1007(d).

PLEASE TAKE NOTICE that on April 18, 2006, Debtor entered into a Stipulation re Setoff (Wells Fargo) (the "Stipulation") a copy of which is attached hereto. The Stipulation permits Wells Fargo to exercise its right of setoff as to amounts due by the Debtor (preliminary


1 asserted to be approximately \$151,405.52, plus interest, fees and charges, but subject to final
2 investigation and determination) against the Debtor's deposit accounts held with Wells Fargo.

3 PLEASE TAKE FURTHER NOTICE that any objection to the Stipulation must be filed
4 and served on the undersigned no later than May 2, 2006

5 PLEASE TAKE FURTHER NOTICE that, in the event such objections are timely filed,
6 a hearing on the Stipulation will be held on the 3rd day of May, 2006 at 9:30 a.m., before the
7 United States Bankruptcy Court, District of Nevada, 300 Las Vegas Blvd. S., Third Floor, Las
8 Vegas, NV 89101.
9

10 DATED this 18th day of April, 2006.

11 SCHWARTZER & MCPHERSON

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14 LENARD E. SCHWARTZER, ESQ.
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17 and

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